

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

ANNE GEORGE,

Plaintiff,

vs.

Civ. No. 09-851 LFG/RHS

UNITED STATES OF AMERICA, et al.,

Defendants.

**INITIAL SCHEDULING ORDER**

**THIS MATTER** is assigned to me for all scheduling, case management, discovery and non-dispositive motions. The Federal Rules of Procedure, as amended, as well as the Local Civil Rules of Civil Procedure Governing Practice in the United States District Court for the District of New Mexico apply to this civil litigation. Rule 16(b)(1) provides that the Magistrate Judge issue a Scheduling Order after receiving the parties' report under Rule 26(f) or after consulting with the parties' attorneys and any unrepresented parties at a Scheduling Conference or by telephone, mail, or other means. The undersigned concludes that a telephonic Scheduling Conference is necessary to effectuate the requirements of Rule 16.

**IT IS THEREFORE ORDERED** as follows:

1. A Rule 16 Scheduling Conference will be conducted **TELEPHONICALLY** on the **2nd day of February, 2010 at 2:00 p.m. (MST)**.
2. The attorney or attorneys who will be presenting the case at trial on the merits will personally participate in this telephonic Scheduling Conference.
3. My chambers will place the conference call and counsel or parties *pro se* must be

ready to proceed approximately five minutes before the scheduled conference.

4. If trial counsel or a party *pro se* will be at a telephone number different from the telephone number listed on the docket sheet, please advise my chambers no later than 48 hours prior to the Scheduling Conference.

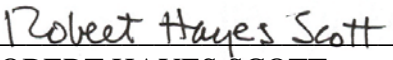
5. During the Scheduling Conference, counsel and any party *pro se* shall be prepared to discuss all scheduling issues including personal and professional conflicts. We will also discuss settlement prospects and alternative dispute resolution possibilities and the consideration of consent pursuant to 28 U.S.C. §636(c).

6. The parties, appearing through counsel of record or *pro se*, are hereby directed to personally meet and confer no later than **January 12, 2010**, for the purpose of formulating a Joint Status Report and Provisional Discovery Plan (hereinafter referred to as "JSR") pursuant to Fed. R. Civ. P. 26(f). The time allowed for discovery is generally 120 to 150 days. The parties and counsel shall cooperate in the preparation of a JSR. The standardized JSR form is available at the Court's web site, [www.nmcourt.fed.us](http://www.nmcourt.fed.us), and may be downloaded for use in preparation of the JSR in the instant cause. The blanks in the JSR for suggested/proposed dates are to be filled in by counsel and party *pro se*. The final case management dates will be determined by the Court after consideration of the requests of the parties. Plaintiff(s), or Defendant(s) in removed cases, shall be responsible for the filing of the JSR on or before **January 25, 2010**.

7. The parties and counsel may not modify the case management deadlines without a showing of good cause and then only upon the express and written order of the Court. Modifications not approved by the Court will not be recognized and are not binding upon these proceedings.

8. Initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) shall be made within fourteen (14) days of the date of the meet and confer session set forth in Paragraph 6 above.

Signed and entered November 25, 2009.

  
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ROBERT HAYES SCOTT  
UNITED STATES MAGISTRATE JUDGE  
Pete V. Domenici United States Courthouse  
333 Lomas Blvd., N.W. - Chambers #620  
Albuquerque, New Mexico 87102  
(505) 348-2300  
(505) 348-2305 (Fax)